

DEFENSE EXHIBIT 1

Statement for record

On 16 November 2009 at approximately 1430 ticketed Southwest Airlines passenger Phillip Mocek entered the A/B Security Checkpoint at the Albuquerque International Sunport Airport. Passenger Mocek presented his travel document, a boarding pass, to Lead Transportation Security Officer (TSO) Greg Martinez. TSO Martinez asked passenger Mocek for identification and Mocek responded that he did not have any form of identification. TSO Martinez then notified me that passenger Mocek required additional screening due to not having any identification.

I took possession of passenger Mocek's boarding pass. I asked passenger Mocek if he had anything in his possession that would help me verify his identity. Passenger Mocek responded that he did not want to provide identification and that he was to understand that he was not required to. I informed passenger Mocek that he was correct and that I could verify his identity another way, however if he had anything with his name on it that it would help with the process. Passenger Mocek responded and stated that he wouldn't provide anything because it was his right not to. I informed passenger Mocek that I would contact our Security Operations Center at which point they would attempt to verify his identity with other information and if they could not verify his identity he would not be allowed to proceed through the checkpoint.

I contacted Supervisory Transportation Security Officer (TSO) Anthony Schreiner via radio to request the assistance of a Behavior Detection Officer (BDO). BDO Laura Moots approached the area where I was located before TSO Schreiner could respond. I asked BDO Moots for assistance and informed her of the situation and events that had occurred up to that point. BDO Moots informed me that the request for BDO assistance had to come from a TSO. I contacted TSO Schreiner via radio and requested BDO assistance and informed him the request had to come from a TSO.

I started to complete the documentation required by the Identity Verification Call Center (IVCC). I had filled out the passengers name and date portion of the form when I noticed that passenger Mocek had a camera in his hand and it appeared that he was taking pictures or videotaping the process I was conducting. I informed passenger Mocek that he need to stop immediately. Passenger Mocek responded that he didn't think it was illegal and it was his right to be able to take pictures in an area accessible to the public. I informed passenger Mocek that he was not allowed to take pictures of or video tape the processes at the checkpoint. I then, via radio, requested an TSO to have a Law Enforcement Officer respond to the Travel Document Checking (TDC) area immediately.

TSO Schreiner approached the TDC area as I was again attempting to explain to passenger Mocek that he could not take pictures of or video tape the processes at the checkpoint. I informed TSO Schreiner of the events that had occurred and Transportation Security Manager (TSM) Gerald Romero also heard of those events as he approached the TDC area.

TSM Romero asked passenger Mocek to put his camera away to which Mocek responded with the same statement as previously, he didn't think it was illegal and it was his right to be able to take pictures in an area accessible to the public. Albuquerque Aviation Police Department

(AAPD) Officer Robert Dilley approached TSM Romero and asked what the situation was. TSM Romero informed Officer Dilley of the events. Officer Dilley approached passenger Mocek with AAPD Officers Landra Wiggins and AAPD Officer Julio De La Pena.

After engaging passenger Mocek, the AAPD officers asked Mocek several questions and the situation escalated to the point where an AAPD officer informed Mocek he would not be allowed to fly. I then handed passenger Moceks' boarding pass to Officer De la Pena. The situation escalated again and Officer Dilley, Officer Wiggins, and Officer De La Pena escorted passenger Mocek from the A/B Security Checkpoint.



LTSO Jonathan Breedon